

Appl. No. 10/809,113
Amdt. dated July 13, 2006
Reply to Office Action of June 23, 2006

Remarks/Arguments

It is noted with appreciation that the drawings as presented are approved.

It is noted that the instant invention is directed to a product display bag for displaying and transporting goods. The invention consists of providing an orifice along one of the bag sides and covering that opening with a patch. The patch consists of at least one elongate opening and an elongate strip. The strip is positioned to cover the orifice but is movable so as to be displaceable to allow entry into the bag in order to feel the product and to provide a grip which operates as a carrying handle. The invention is intended for use with a display package which includes a re-closable opening which allows inserting and removing a product into the bag. The invention allows this re-closable opening to be secured preventing excess handling and/or theft while still allowing the product to be touched.

The reference to Searfoss is directed to a container closure. The container is provided with a hole or orifice in one of its side walls. A closure device includes a plurality of surfaces 5, 7 with an orifice 11 therethrough. A flap 13 is connected to one of the sides and is adapted to engage in and close orifice 11. The closure device is attached to a container 21. When the orifice is open, the container content can be expelled. When flap 13 closes the orifice, the content is retained in the container.

The Searfoss device is not disclosed as functioning to allow access into the bag to feel the content. The device cannot and is not disclosed as being able to function as a carrying handle.

Claims 1 and 8 have been amended to more clearly define the invention.

Appl. No. 10/809,113
Amdt. dated July 13, 2006
Reply to Office Action of June 23, 2006

Claims 8, 15, 20-21 are rejected under 35 USC 102(b) as anticipated by Searfoss.

This rejection is respectfully traversed as the reference Searfoss fails to anticipate the claimed structure.

Independent claim 8 calls for a package for accessing, transporting and displaying goods, including an opening formed in one of its upper, lower, end and side members allowing access to its inner area. Also, a flexible patch having a pair of elongate openings forming a strip therebetween secured to said one member with said strip positioned over and covering said opening.

Searfoss fails to disclose this structure. There is no pair of spaced elongate openings with a strip therebetween secured to a container side. No mention is made of providing a strip to cover the side opening.

The claim further calls for "said package displays said goods in an enclosed inner area when said strip is unmoved, said package allows access to said goods through said opening when said strip is moved and said package is provided a carrying handle when said strip is gripped.

The reference Searfoss fails to disclose this structure or function.

Claims 9-19 depend from claim 8 and are believed allowable for the stated reasons.

Independent claim 20 calls for a display bag having an orifice formed in one surface of the bag and a patch including an elongate strip attached to said one surface in position close said orifice.

Appl. No. 10/809,113
Amdt. dated July 13, 2006
Reply to Office Action of June 23, 2006

The reference Searfoss fails to teach this structure.

The claim further calls for the patch to be attached in such a manner as to allow said elongate strip to be movable from said orifice to form a carrying handle and/or to allow finger access to said product and said patch being returnable to the position covering said orifice after movement.

The reference Searfoss does not disclose the above structure or function.

Claim 22 depends from claim 20 and is believed allowable for the stated reasons.

Claims 1-7, 9-14, 16-19 and 22 are rejected under 35 USC 103(a) as unpatentable over Searfoss in view of Belmont, et al.

Independent claim 1 calls for a product display bag having a plurality of sides with a orifice formed in one of said sides. Also, the claim calls for a patch attached to said one side, said patch having a pair of spaced elongate openings forming a strip therebetween, securing means arranged along each edge of the patch securing the patch to the side member with said strip positioned over said orifice.

The Searfoss reference does not disclose this structure.

The claim further calls for "wherein said strip forms a movable cover allowing access to said goods by shifting said strip way from said orifice and a transport handle for said bag by elevating said strip."

Searfoss does not disclose this structure or function.

The reference Belmont, et al has been considered but does not add relevant structure.

Appl. No. 10/809,113
Amdt. dated July 13, 2006
Reply to Office Action of June 23, 2006

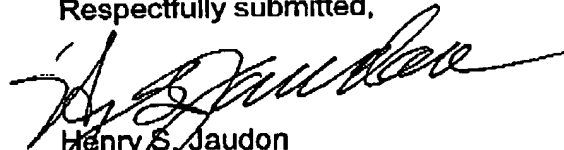
Claims 2-7 depend from claim 1 and are believed allowable for the stated reasons.

All cited references have been considered but are not believed to add pertinent disclosures.

An earnest effort has been made to place the claims of the application in condition which defines over the references of the rejection.

It is respectfully urged that the examiner, upon reconsideration, find the claims allowable and pass the case to issue in the due course of PTO business.

Respectfully submitted,



Henry S. Jaudon
Registration No. 34,056
McNair Law Firm, P.A.
P.O. Box 10827
Greenville, SC 29603-0827
Telephone: (864) 232-4261
Agent for the Applicant